

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VINCENT MASINO, KEITH LOSCALZO,
RAYMOND MARIA, ANTHONY FASULO,
DAVID DELUCIA and DOMINICK
AGOSTINO, as Trustees and Fiduciaries of
The PAVERS AND ROAD BUILDERS
DISTRICT COUNCIL WELFARE, PENSION,
ANNUITY AND APPRENTICESHIP, SKILL
IMPROVEMENT AND TRAINING FUNDS,

Plaintiffs,

- against -

A TO E, INC.,

Defendant.
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MAUSKOPF, United States District Judge:

ORDER
08-CV-2656(RRM)(RML)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ **MAR 03 2011** ★

BROOKLYN OFFICE

By motion filed May 26, 2009, Plaintiff moved to for default judgment, amending the default judgment via submissions on December 10, 2009. [Doc. Nos. 6, 9.] By Order entered December 21, 2009, this Court referred the motion for default judgment to the assigned Magistrate Judge, the Honorable Robert M. Levy, to conduct an inquest and issue a Report and Recommendation. On June 8, 2010, Judge Levy issued a Report and Recommendation (the "R&R") [Doc. No. 12] recommending that Plaintiff's motion be granted and that plaintiffs be awarded a total of \$8,099.68. Judge Levy reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due June 22, 2010. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, Plaintiff's motion for default judgment [Doc. Nos. 6, 9] is GRANTED. Judgment shall enter in the amount of \$8,099.68

in favor of Plaintiff, and as against Defendants. The Clerk of Court shall enter judgment accordingly, and close this case.

SO ORDERED.

Dated: Brooklyn, New York
March 2, 2011

s/Roselynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge